

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DEVIN CHARLES BELCOURT,

Case No. 22-CV-1865 (NEB/DTS)

Petitioner,

v.

ORDER ACCEPTING REPORT AND
RECOMMENDATION

BELTRAMI COUNTY JAIL,

Respondent.

The Court has received the September 9, 2022 Report and Recommendation of United States Magistrate Judge David T. Schultz. (ECF No. 7.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The Report and Recommendation (ECF No. 7) is ACCEPTED;
 2. The Petition for Writ of Habeas Corpus (ECF No. 1) is DENIED WITHOUT PREJUDICE;
 3. The action is DISMISSED;
 4. Petitioner's application to proceed *in forma pauperis* (ECF No. 2) is DENIED;
- and

5. No certificate of appealability be issued.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 13, 2002

BY THE COURT:

s/Nancy E. Brasel

Nancy E. Brasel

United States District Judge